

# Northern Territories Issue Recent History and New Geopolitical Situation (<特集>国際関係と日本の諸問題)

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# Northern Territories Issue Recent History and New Geopolitical Situation

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With its more than 60 years long and controversial history territorial dispute between Japan and Russia has reached a culmination point during presidency of Putin and then stalemated. After his departure from Kremlin to the Government House on Moscow River bank, there were a lot of speculations that his successor would be only his shadow. A little war between Russia and Georgia made it evident that Putin is still maintaining the great deal of influence over Russian foreign policy. Nevertheless, it is worthwhile to explore what kind of progress in Russia–Japan relations can be anticipated in the new era of President Medvedev.

Not so much, one would argue. It is quite agreeable. However it is not because the new president is heavily dependent on his former master, but due to the basic difficulties of this issue. A personality factor is important too, no doubt. But in this sense things look not better. It was Putin who tried to find out a compromise while Medvedev in his former capacity was more close to China in such a fashion that Beijing used to call him “young  
(1)  
‘old friend’ of China”.

After nine years of Yeltsin’s controversial and counterproductive attempts to approach territorial issue without any clear vision how it should be solved it was Putin who reached to an idea that two islands should and

may be given to Japan. It happened in 2000 when Putin didn't enjoy an overwhelming popularity yet.

An observer, who knows the matter, should admit that Putin demonstrated courage to challenge the longstanding practice of Soviet authorities “not to give up even an inch of territory”. Only in 1923 Bolsheviks tried to sell Northern Sakhalin to Japan asking from Tokyo “at the least one billion {rubles}<sup>(2)</sup>”. But that was a rare example and in less than two decades in 1941 Stalin meeting in Kremlin Japanese foreign minister Matsuoka rejected his proposal to sell the Northern Sakhalin.<sup>(3)</sup>

It was former Prime Minister Yoshiro Mori, who reacted positively and seemed also to be thinking in terms of a compromise over the islands. Such a compromise was not easy for Japanese Prime Ministers either. In November 2001 at Irkutsk Putin and Mori agreed to divide the problem into two parts – Habomai–Shikotan and Kunashir–Iturup islands – and negotiate them simultaneously but separately (parallel negotiations).

Everything changed when Mori stepped down. During the Koizumi cabinet days efforts to find out a compromise turned into a crisis. On April 3, 2002, 34 diplomats were “punished” for “mishandling” or “meddling” in relations with Russia. Contacts at the highest levels did not improve matters. Suddenly at the end of 2004, a statement by Foreign Minister Lavrov, later endorsed by Putin, made it clear that Russia intended to fulfill its obligation under the 1956 Joint Declaration. This might seem a breakthrough, but on the contrary, it signaled willingness to return only two islands and that there would be no compromise on other two.

When Putin came to Japan reluctantly at the end of 2005 his visit was commented on in Japan as absolutely “*non-productive*”. During the 2005–2006 period Putin made statements which could be perceived as a setback from “two-island” formula “stating that there were no territorial obligations towards Japan on the Russian side, or “*the 1956 Joint Declaration actually determined the handing over of two islands, but failed to determine the conditions of it, and to whom these islands should be handed over*”.

But sometimes he reversed back saying that “*We are eager to settle all disputes with Japan, including those of a territorial nature. We don’t want to preserve them. We sincerely want to solve them on conditions acceptable for both Russia and Japan. We must seek a way out together... the search for this solution has begun. It will not be easy and will not be quick, but it is possible*”<sup>(4)</sup>. While meeting then Prime Minister Abe on November 18, 2006 in Hanoi Putin expressed his intention to continue searching for “*mutually acceptable outcomes*”<sup>(5)</sup>.

Meanwhile Japanese side tried to push Putin to change his “two or nothing” stance. Foreign Minister Taro Aso made his unofficial suggestion about the number of islands agreeable for Japan. “*Two islands are not acceptable for us, four – not acceptable for them. So, what about three islands as a half of the difference? Of course it depends whether both sides would agree on it. This cannot be decided by bureaucrats. It is not something that could be taken up from below unless a political decision is made from above. It seems that Putin is very eager to solve the problem*”<sup>(6)</sup>

It may be well probable that inspired by Aso's ideas to find a compromise on remained two islands, Mr. Margelov, Chairman of the Upper House International Committee of the Duma published an article including some comments.

*“..Russia's foreign policy in recent times is distinguished by pragmatism. Maybe, any territorial problems too should be dealt from a position of, if you like, profit, be it economic, political or military. What about taking a risk, abandoning for the time being the generally correct principle of “not an inch of the homeland” and turn the question of the four islands into a judgment about what these islands give us in political and economic terms. Or should give us”.*<sup>(7)</sup>

At the same time Oleg Morozov, Deputy Speaker of the Duma, and a representative of the “United Russia” party, very close to Putin, commented on Aso's remarks differently. He claimed that Russians “are not discussing territorial problems with Japan.”<sup>(8)</sup>

Deputy Foreign Minister in charge of relations with Japan Mr. Alekseev made it more explicitly. As a precondition of any discussions on territories, Japan must acknowledge the results of WWII, and there must be progressive development of bilateral relations.<sup>(9)</sup>

In June 2007 before going to Heiligendamm G 8 Summit Putin in an interview made it clear where things with islands stand. «As to the “disputed islands”... we don't see them as “disputed” since this situation emerged in the result of the Second World War and was fixed by international law in international documents. However, we

*understand the motives of our Japanese partners' behavior. We want to get rid of all irritants of the past and with Japan are searching for a solution of this problem*<sup>(10)</sup>. He was obviously not sincere. As a “jurist” he knew that Russian possession of all Kuriles and Southern Sakhalin has not been fixed in international treaties. That’s why his idea was to get such a recognition through a compromise based on 1956 decision on two islands.

Putin mentioned the results of WWII but fell short to pronounce the principle of “firmness of after-war boundaries” being eager not to appear too much tough while addressing international community. However it was well conspicuously articulated during the first ever visit of Russian minister of foreign affairs Sergey Lavrov to disputed islands just a day before Putin’s interview. Addressing domestic community he stated the principle of «firmness of post-war boundaries».

*“We are set to find a solution which may be only mutually acceptable, corresponding with interests of Russian and Japanese people and based on realities. These realities are represented by the principle of*<sup>(11)</sup> *«firmness of post-war boundaries».*

«Two or nothing» unshakeable attitude backed up by economic and financial growth of Russia forced Japan while keeping its claim on all four islands try to play an “economic card”. An idea that a way to islands is stretching through a field of broad economic and cultural cooperation was getting momentum. In Heiligendamm and later in Sidney it was Abe who proposed 8 projects of cooperation in East Siberia and Russian Far East.<sup>(12)</sup> The locality of these projects reveled Japanese concern not to be surpassed by China in energy rich regions while sticking at territorial row.

Minister Lavrov who visited Japan in October 2007 and confirmed the willingness and desire to find out a mutually acceptable formula” put the idea more straightforwardly : *“As we succeed in enhancing our trade and economy cooperation, mutual investment activity, undertaking concrete projects in the sea areas washing shores of Russia and Japan,...implementing common market projects for East Siberia and Far East region’s development based on respective Russian program, increasing our humanitarian relations, people-to-people contacts, cultural and educational exchange, I believe that our relations will reach a level of new quality. In that case it would be easier to find out a solution of the peace treaty problem.”*<sup>(13)</sup>

When we consider what pushed Putin to agree to hand over two islands, one factor should be taken into account in connection with the still attractive though not decisive idea of securing Japanese investment in the Russian Far East region. It is China. Approaching China is a tricky undertaking. Russia doesn’t want to be alone with China, so he was also trying to cultivate relations with India. Considering Japan’s potentially tense and rivalry-oriented relationship with China, good relations with Japan looked to him as very helpful in balancing the huge Chinese power.

And there should be one more reason. Both sides have their own weak points in the dispute, points derived from the same source – San Francisco Peace Treaty.

Article 2(c) of this treaty provides that *“Japan renounces all right, title and claim to the Kurile Islands, and to that portion of Sakhalin and the islands adjacent to it over which Japan acquired sovereignty as a*

*consequence of the Treaty of Portsmouth of September 5, 1905.*” It is not defined whom do these territories belong to. Logically speaking a legal provision of sovereignty toward these territories does not exist at all. It is only clear that they do not belong to Japan. Since the treaty mentioned “Kurile Islands” without specifying the scope it has to be considered as “all Kurile Islands” have been given up by Japan. To prove that Kunashir and Itourup are not a part of Kuriles would be tremendous if even possible task. It was a speech of Japanese Plenipotentiary Yoshida Sigeru at the San Francisco Conference where he referred to Kunashir and Itourup as a part of Kurile Islands (<sup>(14)</sup>*“Etorofu and Kunashiri of the South Kuriles”*.) And that is the legally weakest point of Japanese claims toward four islands.

Russia has its own legal flaws in its position toward all Kurile Islands. The main is that it is not a part of the treaty. However, since the treaty was referring to renouncing Japanese sovereignty over Southern Sakhalin as a consequence of the Treaty of Portsmouth of September 5, 1905” which Russia has been the main part it may be interpreted as no one can claim on it except Russia. But as to Kuriles it was obviously a “thank-to-war” territorial gain and its belonging to Russia has to be proven by a treaty. This treaty may be only a treaty with Japan just because only Japan has claims toward them.

In my opinion the vague legal status of islands belonging to Russia under its own laws but not international, may turn to become a hot issue for Russia, a kind of a time bomb. This puts an instrument into the hands of those who would like to use the issue for pressuring Russia in future. The United States used its strong leverage to destroy the two-island solution in 1956.



The legal weakness of both countries in their row over islands may and should push them to find a compromise, a mutually acceptable one. Putin did his best but failed. The new hopes and old disappointments prevailed before and during Medvedev's visit to Japan in early July for the Toyako G 8 Summit.

A hosting the Summit seemed to some in Japan as a chance to put the territorial question stronger and more resolutely using the international arena. Despite the fact that Prime Minister Fukuda and Embassy of Japan in Moscow put it clear that Japan is not going to use the Summit format to raise the question some publications in Japanese media worried Russian side and Ministry of Foreign Affairs published an official statement on the issue. It fully revealed things as they stand.

*“The principled position of the Russian Federation is that the southern Kuril Islands became part of our country based on the results of World War II and Russia's sovereignty over them, having the appropriate international legal formalization, is beyond question. At the same time we concede that in Russian–Japanese relations there objectively exists the issue of border demarcation. We are ready for a continued patient and calm search for its solution, which should be mutually acceptable to the peoples of Russia and Japan.”*<sup>(15)</sup>

However, in a press–conference before arriving to Hokkaido new Russian President didn't repeat the idea that legality of possessing islands is obvious and unquestionable. Instead of that he maintained that having growing economic relations and sharing common system of values Russia is set to discuss and move forward toward a solution based on all previous

agreements and treaties. But he warned not to be in a hurry and expect an immediate result and miracle since they are impossible. He appealed to keep up efforts and work together friendly, and a chance to agree on the question will appear.<sup>(16)</sup>

In Toyako Medvedev's behavior and all expressions during meeting with Japanese officials proved his willingness to handle territorial issue seriously and sincerely. After his meeting with Yasuo Fukuda, prime minister of Japan, Russian Minister of Foreign Affairs issued a synopsis with wordings more straightforward and optimistic.

*“The Russian head of state confirmed the conviction in Russia that patient and peaceful dialogue with Japan would resolve the territorial problem. On the Russian side, it was stressed that an atmosphere of trust between Russia and Japan is crucial for resolving such a difficult problem. Such trust can be established by the expansion of economic, regional and other ties”<sup>(17)</sup>.*

One can notice that in an official document Russia did confirm the existence of “territorial problem”.

But more importantly the idea of finding a mutually acceptable compromise on territorial issue was officially put into new Doctrine of Foreign Policy signed by Medvedev on July 12, 2008 just after his return from Hokkaido. It deserves to be cited fully :

*“Russian Federation is in favor of good neighborly and creative partnership relations with Japan for the sake of both countries’*

*people. To achieve these goals, we will work on mutually acceptable solution of the problems inherited from the past, but they should not become an obstacle<sup>(18)</sup>".*

To find out a mutually acceptable solution I proposed once to divide the question to respective aspects constituting the question as a complex system. Here are these aspects :

- Historical background
- Political will
- Defense concerns
- Geostrategic environment
- Economic gains or losses
- Psychology

Obviously all aspects are intertwined. However, this analysis may help to find the badly ill points and try to heal them using other factors to help.

## **Historical background**

History of territories cannot serve effectively for finding out a compromise. It made ups and downs many times, but is really important for psychology. It is important to educate the truth about issue and not to falsify history for political reasons. Renowned Russian writer Solzhenitsyn who hardly can be considered as a pro-Japanese figure and has been well known for his nationalistic views addressing Russian President Boris Yeltsin said : *"I have studied the whole history of Islands from 12<sup>th</sup> century. Boris Nikolayevich (Yeltsin), these islands are not ours. They must be given*

*back [to Japan]. But for a high price...<sup>(19)</sup>*

## **Political will**

It is important to understand what from both sides may influence the political will.

For Russia it may be :

- a peace treaty defining Kurile Islands as Russian territory, except those which would be handed over to Japan
- Japan as a friendly nation ready to help Russia in regional geopolitical situation while keeping its own interests
- Japanese technological investments in Russia

Japanese side has to decide what may create the strong political will for moving to a compromise.

## **Geopolitical environment**

The United States having very close strategic and defense relations with Japan has had and still has a huge influence on the issue. In 1956 American diplomacy crashed Japanese intention to agree to a deal on two-island return formula. After the cold-war period America was more or less neutral, and only once American president Bill Clinton promised to facilitate the compromise.

As a geopolitical factor the significant deterioration of the U.S.–Russia

relations due to the crisis in Caucasus area and deployment of American missiles in Poland is becoming negative once more. America is trying to pressure Russia through NATO. Despite the lack of unity inside this alliance it must play the main role in a strategy to deter Russia. It is still not clear what an impact would have the Japan–NATO agreement signed by Former Prime Minister Abe.

No doubt, timing is not good for Russia to make any strategic decisions on its border line since the situation around it is getting worse : war with Georgia, hostility with Ukraine, Poland and Baltic states mainly because of territorial disputes and American dominance in the region. However, being isolated from the West Russia has to seek better relations with the East, first of all with China and India. But the alliance with China is a tricky one. With Tibet, Uyghur and Taiwan problems Beijing is not happy with the Russia promoting the independence of Southern Ossetia and Abkhazia, two secessionist republics.

In the relations with Japan Russia has the same paradigm of hostile elements though much older – territorial claims and American dominance. However, under these circumstances Moscow may try to get a compromise with Japan just to avoid its traditional fear – to get under two–folded pressure from the West and the East.

### **Economic gains and losses**

Problems related to natural resources of islands (happily there is no still solid proofs of oil or natural gas existence) and 200–mile economic zone in Sea of Okhotsk look as too difficult for a mutually acceptable solution. Still,

economic aspect is calculable and therefore may be solved technically.

## Psychology

The psychology seems to become a huge hurdle in finding a compromise. But it is manageable provided that real gains would cover the territorial losses.

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